

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

| | | |
|---|---|-----------------------------|
| Jovan Brown, |) | |
| |) | |
| Plaintiff, |) | C.A. No. 6:22-01705-HMH-KFM |
| |) | |
| vs. |) | OPINION & ORDER |
| |) | |
| Ron Lawrenz, Eric Ramos, Michelle Dube, |) | |
| Thresea Cannady-Smith, Mr. Zubert, Janene |) | |
| Bartlett, Patricia Swaby, Lisa Young, |) | |
| |) | |
| Defendants. |) | |

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Kevin F. McDonald made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina.¹ Plaintiff Jovan Brown (“Brown”), a civilly committed individual proceeding pro se and *in forma pauperis*, filed this action alleging various violations of his Eighth and Fourteenth Amendment rights under 42 U.S.C. § 1983. In an order dated September 20, 2022, Magistrate Judge McDonald authorized service of Braxton’s conditions-of-confinement claim related to sewage backflow in his cell from April 14, 2022, to May 26, 2022, on Defendants Ron Lawrenz (“Lawrenz”), Eric Ramos (“Ramos”), and Lisa Young (“Young”). (Order 2, ECF No. 33.) In addition, in a Report and Recommendation filed the same day, Magistrate Judge McDonald recommended dismissing all of Brown’s remaining

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

claims with prejudice, without further leave to amend, and without issuance and service of process. (R&R 10, ECF No. 34.)

Brown timely filed objections to the Report and Recommendation on October 3, 2022.² (Objs., generally, ECF No. 38.) Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Brown's objections are non-specific, unrelated to the dispositive portions of the magistrate judge's Report and Recommendation, or merely restate his claims. Therefore, after a thorough review of the magistrate judge's Report and the record in this case, the court adopts Magistrate Judge McDonald's Report and Recommendation and incorporates it herein.

² See Houston v. Lack, 487 U.S. 266 (1988).

It is therefore

ORDERED that all of Brown's claims, except his conditions-of-confinement claim regarding sewage backflow in his cell from April 14, 2022, to May 26, 2022, against Defendants Lawrenz, Ramos, and Young, are dismissed with prejudice, without further leave to amend, and without issuance and service of process.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
October 14, 2022

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.